

REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action of March 11, 2009, in which the Examiner (1) rejected claims 1-11, 14-23, 25-28 and 31-35 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,937,496 (“**Konya**”) in view of U.S. Patent No. 6,488,203 (“**Stoutenburg**”), U.S. Patent No. 5,987,439 (“**Gustin**”), and U.S. Patent No. 5,943,055 (“**Sylvan**”), (2) rejected claim 36 under 35 U.S.C. 103(a) as being unpatentable over **Konya** in view of **Stoutenburg** and **Gustin**, and (3) rejected claim 29 under 35 U.S.C. 103(a) as being unpatentable over **Konya** in view of **Stoutenburg**, **Gustin** and **Sylvan**, and further in view of Official Notice.

By the present Amendment, claims 9, 10, 11, 17, 29, 31, 32, 35, and 36 have been amended, and new dependent claims 39 and 40 have been added. In particular, claims 9, 10, 11, 17, 31, 32, and 35 have been amended to recite limitations pertaining to further embodiments of the invention. Claims 29 and 36 have been amended to correct obvious typographical errors.

In rejecting the claims, the Examiner has withdrawn the previous rejections and now rejects most of the claims based on newly cited **Sylvan** in combination with **Konya**, **Stoutenburg** and **Gustin**. For example, as applied to claim 1, the Examiner acknowledges (pages 3 and 4 of the Examiner’s Remarks) that the previously cited references do not show the feature of “including at least a portion of an account number” in the account information provided to the initiating terminal and facilitating “the transfer of money from the sender to one or more of the associated recipients by the selection of the account information, including at least a portion of the account number, corresponding to the recipient.” The Examiner states (page 4 of the Examiner’s Remarks) that **Sylvan** teaches the limitation of the system being configured to facilitate the transfer of money “by the selection of account information, including at least a portion of the account number, corresponding to the recipient.”

Applicants respectfully disagree. In **Sylvan**, a telephone station 102 has a banking services screen with an account list 1620 showing an account number field 1628 and what appears to be a name. However, **Sylvan** is not clear as to how this display is used, other than using the list to select an account number (col. 15, lines 10-12). In fact, the only brief

mention of a transaction using the account list is the user transferring funds “from the selected account” (col. 15, lines 16-18) While there is no detail as to how this is done (and hence the disclosure in **Sylvan** is, at best, incomplete if not inoperable), Applicants point out that the only description of a transfer in **Sylvan** is a *transfer out* of a selected account, not a *transfer into* a selected account of a recipient. Hence, **Sylvan**, does not teach “the selection of the account information, including at least a portion of the account number, corresponding to *the recipient*”(emphasis added), as in claim 1. Rather, if anything, **Sylvan** only teaches the use of an account list to select a sender account. Such teaching is opposite to Applicants' claimed invention, and thus **Sylvan** teaches away.

For these reasons, claim 1 is believed distinguishable from **Sylvan** (as combined with **Konya**, **Stoutenburg** and **Gustin**).

Independent claims 9, 10, 11, 17, , 31, 32, and 35 have been amended to now include additional features. For example, independent claims 9, 10, and 11 recite the additional feature of account balances as part of the displayed account information. For example, claim 9 now recites that the displayed account information includes, in addition to at least a portion of an account number, “a balance in the account associated with the with the account number.” Support for such feature can be found in paragraphs 0029 and 0037 of the Specification.

Independent claims 17, 31, 32, and 35 have been amended to now include the additional feature of transactions as part of the displayed account information. For example, claim 17 now recite that the displayed account information includes, in addition to at least a portion of an account number, “transactions conducted against the account.” Support for such feature can be found in paragraph 0029 of the Specification.

Neither of these newly recited features are taught or suggested by the cited references, either alone or as combined.

In rejecting claim 36, the Examiner states that **Stoutenburg** discloses the recited feature of establishing and displaying “the first group and the second group of recipients at the initiating terminal.” The Examiner supports this rejection with the statement that, in

Stoutenburg, “groups consisting of a single recipient are created” (page 29 of the Examiner’s Remarks).

Applicants respectfully submits that the Examiner’s position is not correct. While **Stoutenburg** does disclose a list of single recipients (col. 7, lines 1-18), interpreting such disclosure as teaching the “group” feature of claim 36 is contrary to the plain meaning of the words in claim 36. Claim 36 recites “establishing in advance a first *group* of selected *recipients* and a second *group* of selected *recipients* to whom money may be transferred” and “displaying the first *group* and the second *group* of *recipients* at the initiating terminal” (emphasis added). A *group of recipients* as recited is clearly not the same as a single recipient. It is not permissible to read Applicants’ claims contrary their clear and plain meaning. **MPEP 2111.01**. *In re Zeltz*, 863 F.2d 319, 13 USPQ 2d 1320 (Fed. Cir. 2004). *Chef America, Inc. v. Lamb-Weston, Inc.*, 358 F.3d 1371, 69 USPQ2d 1857 (Fed. Cir. 2004). Applicants respectfully submit that the Examiner is ignoring the plain meaning of the words in the claims.

The Examiner further states that claim 36 “envisions single entity groups” by reciting that the sender may “designates one or more recipients to whom money may be transferred” (page 31 of the Remarks). Applicants respectfully disagree. While claim 36 does in fact recite “one or more recipients” in connection *designating* money transfers, such feature is separate from the recited features of *establishing* and *displaying* groups of recipients. The *designating* feature does permit the possibility of designating a single recipient in a group of recipients. However, considering the clear and plain meaning of the words in the claim, the *establishing* and *displaying* features recites a first group of recipients and a second group of recipients (i.e., more than one recipient in a group), which is clearly not a single entity group.

Dependent claims 2-8, 14-16, 19-23, 25-29, 33-34, 37-38 and new dependent claims 39 and 40 each recite limitations in addition to those of their respective parent claims, and are thus allowable for at least the same reasons as stated above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

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Examining Group 3694

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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